



City of Smyrna

2800 King Street
Smyrna, Georgia 30080

Meeting Minutes - Final City Council

Monday, February 1, 2016

7:30 PM

Council Chambers

Roll Call

Present: 8 - Mayor Max Bacon, Councilmember Derek Norton, Councilmember Andrea Blustein, Councilmember Teri Anulewicz, Councilmember Charles Welch, Councilmember Susan Wilkinson, Councilmember Doug Stoner and Councilmember Ron Fennel

Also Present: 16 - Mike L Jones, Scott Cochran, Terri Graham, Tammi Saddler Jones, Jennifer Bennett, Mary Moore, Roy Acree, Brian Marcos, Chris Addicks, Kay Bolick, Dat Luu, David Lee, Amy Snider, Heather Corn, Ken Suddreth and Joey Staubes

Call to Order

Mayor Max Bacon called to order the meeting of the Mayor and Council for February 1, 2016 at 7:30PM.

1. Invocation and Pledge:

Deacon Bedford of the Spiritual Aires gave the invocation and led all in the Pledge of Allegiance.

2. Agenda Changes:

There were no agenda changes

3. Mayoral Report:

A. Performance by The Spiritual Aires in honor of Black History Month

Mayor Bacon called the Spiritual Aires from Mount Zion Baptist Church to perform in honor of Black History Month. They performed two songs.

B. Proclamation in Recognition of Black History Month

Sponsors: Blustein

Councilmember Andrea Blustein called on Ms. Betty Williams from Ward 3 and her daughter, Ms. Lisa Castleberry from Ward 2, along with other guests to accept the Proclamation in honor of Black History Month. She then read the proclamation aloud and presented it, noting it would hang on the wall at Mount Zion Baptist Church.

C. Proclamation in Recognition of Smyrna History Museum's 30-Year Anniversary

Sponsors: Welch

Councilmember Charles "Corkey" Welch read aloud the proclamation in honor of the Smyrna History Museum's 30 Year Anniversary. Mr. Harold Smith and his guests came forward to receive the proclamation. Mr. Smith spoke about the years of volunteers that have come through the doors at the Museum and he also invited all in attendance to a reception in the HR Conference Room.

4. Department Head Reports

City Administrator Mike L. Jones stated that this was the first of the quarterly reports that would be given by various Department Heads and a schedule of which department would present each month was on the City website for citizen review.

City Clerk Terri Graham was called to give her departmental report and she read the following in conjunction with a power point presentation:

The Clerk's office completed 58 sets of meeting minutes for 2015 and facilitated 45 meeting agendas. There were 101 peddlers applications completed and 337 open record requests processed. Additionally, over 100+ combined contracts, agreements, ordinances, resolutions and annexations were facilitated by the clerk's office.

In Court Services there were 9867 cases processed in 2015.

7428 people appeared on 108 dockets for the year with 3626 bond forfeitures.

Over 4000 people paid online utilizing our web payment system.

Court processed 255 dispositions and 76 webcam requests for 2015.

The Smyrna Records Center has been a large project this year with a lot of activity and updates.

Some of the highlights are as follows and the details are listed on your handouts and are on the screen for the viewing public:

A plan of action was developed and we researched other facilities and procedures for comparison.

Heather attended records training in anticipation of the overhaul of the SRC (Smyrna Records Center)

Last spring we met with Brockington and discussed in great detail the proper storage of permanent records and collections.

A punch list was created of repairs and modifications to complete.

We replaced the main entrance door to accommodate an alarm system and key fob access.

The A/C was serviced and repaired to maintain the required temperature for storage.

The SRC was deep cleaned by a crew.

Additional storage shelving was built and added to one of the rooms and the PD records were moved into Room 1.

Repairs also had to be made to Room 1 and were completed prior to the build out.

An alarm system, key fob, phone line, Wi-Fi and camera cabling were all installed to the SRC and the cameras will be added and active with the City's camera project.

Several departments added over 165 boxes to the SRC and over 250+ boxes will be destroyed in accordance with the Georgia Archives Retention schedule with upcoming quarterly shredding dates this year.

Special thanks to Dan Campbell and the I.S. department for many hours of help with the contractor's installation of the new systems at the SRC.

In 2015, I completed training for the Master Municipal Clerks Certification and will be working on my project to finalize my certification.

Heather began training for her Clerk's Municipal Certification and will attend the conference in February in Macon with a scholarship she applied for and received.

Laserfiche is the City's long term electronic storage program.

Our office has had additional training for this software and has been adding permanent documents and will continue this scan project through the upcoming year.

Emphasis will be on adding current documentation and then the addition of historical documentation.

In 2015 our office assisted in the facilitation of the Mayor and Council elections and continues to manage the required State Ethics paperwork.

In the upcoming month we will be hiring for the open Bailiff position in Court Services and will continue their Laserfiche scan project as well.

We also will be reviewing the companies that handle the Bail Bonds and will work with the Clerk of Court to update any necessary procedures.

We plan to continue the SRC project and will be implementing procedures for proper storage as well as working with departments to insure all records are being properly stored as well as destroyed in compliance with retention requirements.

Heather and I will also continue our clerk's training this year.

Many of the functions that the clerk's office performs are daily and weekly tasks.

Long term projects will be ongoing and completed as time permits from regular daily duties of the Clerk's office.

This concludes my quarterly report and if you have any questions, I will be happy to answer them at this time.

Mayor Bacon thanked her for her report and Mr. Jones asked Community relations Director Jennifer Bennett to give her departmental presentation:

She remarked that she would be speaking about Social Media and the upcoming new website.

New in the month of February would be the new Citizen Guide that would be included in water bills for customers and would be laid out as follows:

On the Cover:

Letter from the Mayor

Contact information for Mayor & Council

Inside:

Mayor & Council information

How to find the Ward map on City website

How to view Council Meetings online

List of departmental quarterly reports at Council meetings – dates and which departments are reporting

Holiday Sanitation Schedule

Recycling Center address / hours

Back Cover:

Phone Numbers

Coming Soon – City website relaunch with CMS upgrade & graphical redesign

Highlights:

New Look

Search feature functional

Site Map

Features – Parks & Recreation facilities rework

Switch between Events and News on the home page – up to four of each may be displayed on the home page view

Finance & Budget pulled to front/top tab

Once launched, some departmental information will be adjusted more

New features

Mapping – expanded use

New navigation

Highlights of the last Quarter

Google Fiber

The hut locations (service hub points) have been approved (October 2015)

*The process for the earliest stage of the build out has started, but there is no stated plan for exactly where the service will roll out within our City limits
Google is working faster in this area than we have seen in other states
The anticipation is that they will be working in all areas of the Metro at the same time rather than building out one city at a time
We know that they intend to deliver to all of our citizens, but where it goes first and exactly when it will be offered is not yet determined or communicated*

*Media contacts/interaction produced - highlights
September – Channel 46 – Bike Share program
October – Channel 2 – Bike Share
Bike Share program shared on social media for extended time
November - AJC – Smyrna First Metro City to Launch Bike Share Program
October work with Atlanta Magazine results in January 2016 article - Smyrna Bike Share
Google hut locations in the AJC
November 2015 referral - interview Pres. of new Smyrna Arts & Cultural Council results in January/February 2016 story in Cobb InFocus Magazine.
Fox 5 – Story on Biodiesel program – Recycling Holiday Cooking Oil
Channel 46 – story on recycling holiday cooking oil / biodiesel program
November 18 – MDJ runs story on Spring Road Widening (SPLOST project) - \$4.5 million
Channel 2 – Spring Road Widening
Bond Rating upgrade announced – from AA2 to Aa1 (Moody's) – received good sharing on social media – matters to our citizens.
What you “like” most on social media: In August & September
You liked a No. 4 national ranking, bike sharing the most and in an unexpected twist, you had great interest in one odd little history fact about Joe Chaney's arm. In November you liked the Bond Rating upgrade news. In January, you liked the Riverview Landing concept – development / economic development information the most.
You like it when we win awards and/or rankings – especially having to do with restaurants
You REALLY like local
Food, Restaurants & coffee
17,621 reached in a single post about REV Coffee - Liked by more than 202 and shared 59 times
= Community Pride / vitality are those things that speak to our residents the most
www.SmyrnaCity.com
[www.Facebook.com/CityofSmyrnaGa](https://www.facebook.com/CityofSmyrnaGa)
[www.Twitter.com/SmyrnaNews](https://www.twitter.com/SmyrnaNews)*

Mr. Jones thanked Ms. Bennett for her presentation and asked Library Director Mary Moore to give her departmental presentation:

CIRCULATION HIGHLIGHTS

*2015 circulation was up 2% from 2014
2014 circulation was up 14% from 2013
January, 2016, is up 5% over January, 2015*

COLLECTION IMPROVEMENTS:

*There were many donated puzzles to the collection, as well as Juvenile Non-Fiction.
FOSL donated \$1K for J History & Biography
Wells Fargo donated \$1K for Financial Literacy Books
Curiosity Creates grant - used a portion of that programming grant for art books
Gas South donated \$2K for STEM resources
Monies received also contributed to the addition of the Maker Boxes*

*FOSL donated \$1K for Adult Classics
Charyn Darby Foundation donated \$2.5K for Juvenile Fiction
hoopla - one app does it all with multiple media resources
lynda - over 7000 tutorials were viewed in 2015*

PROGRAM HIGHLIGHTS:

*13 adult lectures such as the one on the history of the Reed House
3 traveling exhibits such as the one on The Dust Bowl
12 art exhibits in the upstairs galleries
Community Read project focused on The One & Only Ivan by Katherine Applegate
Theme for Summer Reading was Every Hero Has a Story*

SERVICE IMPROVEMENTS:

*Georgia State Park passes are available through the library loan program. Up to four (4) visitors in possession of the pass will be admitted at no charge to any historic site operated by Georgia State Parks, Recreation & Historic sites.
The library's DVD collection is tremendous from top movies to educational. They have adjusted and improved the access to that particular collection. There is now availability to renew DVDs and place holds on DVDs*

FACILITIES IMPROVEMENTS:

- Reupholstered*
- New media shelves in Reading Room*
- New study furniture*
- New carpet*
- FOSL contributions*
- Genealogy equipment*

UPCOMING EVENTS:

*"The Corner Store & Its Role in African-American Culture"
Speaker: Dr. Seneca Vaught, Kennesaw State University
Sunday, February 7, 3:00 p.m.
Smyrna Library Meeting Room*

*"Walking Tour of Historic Williams Park Neighborhood"
Speaker & Guide: Casey Clavin
Sunday, March 6, 3:00 p.m.
Cupola in Williams Park on Roswell Street*

*"Hiking Cobb County"
Speaker: Jonah McDonald, author of Hiking Atlanta's Hidden Forests Intown and Out
Sunday, April 3, 3:00 p.m.
Smyrna Library Meeting Room*

*"The Creatwood Families"
Speaker: Nancy McGhee, local researcher
Sunday, May 1, 3:00 p.m.
Smyrna Library Meeting Room*

City Administrator thanked Ms. Moore and asked Human Resources Director Kay Bolick to give her department report.

Service Recognition

January

Employee	Department
20 Years Leonard (Doug) Carter	PW/Sanitation
James (Steve) Branyon	Police

15 Years Paul Vickery PW/Water & Sewer
 Michael Montgomery Police

10 Years Rudolf (Trey) Stephens Police
 Earl Byrd Parks & Recreation
 Sheri Lancaster Police/Jail
 Casey Malcom PW/Water & Sewer

5 Years Marland Briscoe Fire
 Kenneth Durden Fire

February

	Employee	Department
25 Years	Ronald Eaton	Police
20 Years	Ruth Hayden	Library
10 Years	Jeremy Lanzing	Police

March

15 Years Dieu Pham PW/Streets

5 Years Stephen Waldrop Police

Employment Activity: 2015 Stats

New Hires (Fulltime) 75
 Applications Received 3616
 # Job Postings 33

Retirements 10
 Average Service - 25 years
 6 with over 31 years

Current Vacancies:
 Accepting Applications
 Controller
 Supervisor (Water & Sewer)
 Assistant City Engineer
 Jail Cook
 Maintenance Technician

Applications Closed
 Community Liaison
 Bailiff (PT)
 Police Officer
 Detention Officer
 Communications Officer
 Equipment Operator (Streets)
 Heavy Equipment Operator (W&S)
 Crew Worker
 Crew Worker (PT)
 Recycling Center Assistant (PT)

*Application Process:**To apply, simply visit the City's website**www.smyrnacity.com**Click on "Employment Opportunities"**Select the Position of interest**"Click Here to Apply"**Only applications (and resumes) received through the online process will be considered.**A computer kiosk is also available in the Human Resources Department (located in City Hall) for interested applicants who may not have access to their own computer.**Ms. Bolick was thanked by Mr. Jones and Fire Chief Roy Acree was called forward for his department report:**Severe Weather Preparedness Week of Feb. 1st-5th**Areas of shelter during a tornado were reviewed.**Administrative:**2015 SFD Annual Report**Distributed to the City Administrator this week**Available to the public, www.smyrnacityfire.com**SFD Strategic Planning Process**New plan to cover 2017-2019**Committee to involve external stakeholders**Currently seeking interested parties**Citizens, Business owners, Faith-Based**Anticipate the process to begin in April**Service Demands trending higher for 2016**Emergency Response**Public Education**Inspections**Community Outreach**Departmental Activity**Recently graduated 5 EMT students**NPQ Certifications**Paramedic class starting in February**New Medical Director, Dr. John Knox**Hazard Mitigation Planning**Citizen Fire Academy of March 31st**Nine-week program held every Thursday night**Extensive and interactive, behind-the-scenes look at the SFD**Class limited to 15 participants**Applications www.SmyrnaCityFire.com**Mr. Jones thanked Chief Acree and called Police Chief David Lee to present his departmental report:**Chief Lee spoke about the following items:**PART 1 CRIMES**2014: down 10.27 %**2015: down 2.7%**Projects / Programs:**2016 Strategic plan is in place.**Community functions:*

6 HOA meetings attended this month
Weekly mentoring at Belmont Hills Elementary School
Partnered with Dobbins ARB OSI agents to enhance Homeland Security functions
Women's self-defense taught to Golden Start Pre-School staff
Conducted in-home safety & home defense assessments for several locations
Gun Safety class in city hall
Citizens Police Academy in progress
Law Enforcement Explorers receive weekly training

Upcoming projects
Rolling out the First Tee golf program to Nickajack & Belmont Hills Elementary
Schools starting in February 2016
Community Active Shooter class Saturday February 6 from 2:00 – 4:00PM
Women's Self-Defense - Coming March 2016
Citizen's Police Academy - March 3, 2016 (next academy start date)

5. Land Issues/Zonings/Annexations:

- A. Approval of Ordinance # 2016-01 - Annexation request (100% owners requesting annexation) - Land Lot 698, 17th District, Parcel 1706980050, 2nd Section, Cobb County Georgia - 3621 Ridge Road, Smyrna GA

Sponsors: Stoner

Mayor Bacon asked City Administrator Mike L. Jones to read the background for this item. He stated the applicant was seeking approval to annex the 1.1 acre property at 3621 Ridge Road, Smyrna GA. The use would remain R-20 residential, and no rezoning action for this parcel was being requested. The property was contiguous to the city and would be incorporated into Smyrna Ward 6.

The applicant Michael Paris first inquired about annexation December 29, 2015. Cobb County Community Development, Planning Division and the County Clerk's Office had been notified and the city had received a notice of non-objection via email January 19, 2016. Staff recommended approval of this request. Councilmember Doug Stoner remarked that he was pleased to have the Paris' grandparents property in the City.

A motion was made by Councilmember Doug Stoner to approve item 2016-76 Ordinance # 2016-01 for the annexation request (100% owners requesting annexation) - Land Lot 698, 17th District, Parcel 1706980050, 2nd Section, Cobb County Georgia - 3621 Ridge Road, Smyrna GA, seconded by Councilmember Ron Fennel. The motion carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

- B. Approval of Ordinance 2016-02 - Annexation request (100% of owners requesting annexation) - Land Lot 519, 0.4234 acre, parcel # 17051900750, 17th District, 2nd Section Cobb County - 1276 Pierce Avenue, Smyrna GA

Sponsors: Anulewicz

City Administrator Mike L. Jones was called on to read the following background for this item:

The applicants were seeking approval to annex 0.434 acre property at 1276 Pierce Avenue, Smyrna Ga., 30080. The use will remain R-20 residential, and no rezoning action for this parcel was being requested. The property was contiguous to the city and will be incorporated into Smyrna Ward 3.

Kimberly Norwood Properties, LLC inquired about annexation on 1/6/2016. The notifications was sent to Cobb County Community Development Planning Division and to the County Clerk on January 6, 2016. A non-objection letter was received by email on January 19, 2016 to proceed. Staff recommended approval of this request.

A motion was made by Councilmember Teri Anulewicz to approve item 2016-74 Ordinance 2016-02 - Annexation request (100% of owners requesting annexation) - Land Lot 519, 0.4234 acre, parcel # 17051900750, 17th District, 2nd Section Cobb County - 1276 Pierce Avenue, Smyrna GA, seconded by Councilmember Andrea Blustein. The motion carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

C.

Public Hearing - Appeal the denial of the License and Variance Board for Variance Request - V16-002 - Allow increase in wall sign area from 40 sq. ft. to 99 sq. ft. - 2.83 acres - Land Lot 377 - 2781 S Cobb Drive - TNT Stores, LLC - David Beattie

Sponsors: Wilkinson

Mr. Mike Jones, City Administrator read the following background for this item: This item was a request to appeal the denial of the License and Variance Board for Variance Request (V16-002) to allow increase in wall sign area from 40 sq. ft. to 99 sq. ft. on 2.83 acres, Land Lot 377 located at 2781 S. Cobb Drive by the applicant TNT Stores, LLC, David Beattie.

TNT Fireworks was requesting two variances for their proposed wall sign at 2781 S Cobb Drive. Due to the roof line of the existing structure, the applicant was requesting to allow the wall sign on the roof of the building. Additionally, the applicant was requesting a sign area increase of the wall sign from 40 square feet to 99 square feet. This request was associated with V16-003.

The License and Variance Board on January 13, 2016 denied V16-002 and V16-003 and approved the request to withdraw request V16-004. No action was needed from Mayor and Council on V16-004.

The applicant has requested a sign variance to allow increase in wall sign area and to allow the sign on the roof of the existing structure at 2781 S Cobb Drive. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unique and special or extraordinary circumstances applying to the property; (2) Whether any alleged hardship is self-created by any person having an interest in the property; (3) Whether strict application of the relevant provisions of the code would deprive the applicant of reasonable use of the property; and (4) Whether the variance proposed is the minimum variance needed. Community Development has reviewed the request against the variance review standards and found there to be no unique or extraordinary circumstances applying to the property. Also, Community Development believes that the strict application of the code does not deprive the property of its reasonable use. Therefore, Community Development recommends denial of the requested variances.

The Mayor and Council were asked by the applicant to hear the appeal and hold a public hearing per Section 1400 of the Smyrna Code for the applicant's appeal of the License and Variance Board decision.

Mayor Bacon called the public hearing for this item. City Attorney Scott Cochran

swore in the applicant.

Councilmember Susan Wilkinson asked Community Development Director Ken Suddreth to come forward and give additional information about this item. He stated that TNT was a fireworks sale and storage company and that use is permitted. This was strictly a sign variance request. He showed property pictures and noted that there would be some relocation of the handicapped space in order to meet ADA requirements.

Proposed elevations were shown. He remarked that TNT intended to move the front doors to the center of the building. They also would be changing the placement of tinted windows and replacing with clear windows and adding additional windows. Views of the property from South Cobb Drive were shown.

A roof sign is prohibited and the City's ordinance defines wall signage as well. there are no unique circumstances to allow for approval of this variance. Denial of this variance does not deny them of reasonable use of the property. A sign cannot be placed back on the roof of this building. A monument sign would be allowed. a hardship has not been created to allow for the variance because they are reducing the available wall space for the addition of windows. The applicant is present and has a presentation on a flash drive for Mayor and Council review. .

City Attorney Scott Cochran asked Mr. Suddreth if Council would hear the items as a whole and then cast separate votes for each item and he replied, yes.

Councilmember Charles "Corkey" Welch asked if there was already a monument sign located on this property. Mr. Suddreth said there were only the components from an old sign but no actual sign.

Councilmember Fennel asked if the ordinance specifically said no roof signs and Mr. Suddreth said it did specify that.

Councilmember Wilkinson asked how it was determined the setbacks for the size sign and Mr. Suddreth responded.

David Beattie of TNT Fireworks came forward and introduced himself and began his presentation. He praised staff for their professionalism throughout the process. In regards to the sign ordinance he opined that parts were one size fits all and noted that this had fairly and justly provided for a variance procedure used successfully in the past by other businesses. He read aloud the four requirements for a variance and went on to explain TNT's request as it relates to the ordinance requirements.

He remarked that the adjacent car lot impeded the view of this building. The actually property the building was on was topographically lower than South Cobb Drive and presented visual challenges. The overwhelming majority of customers would be coming from outside of Smyrna and only shopping once or twice a year. Signage for this particular business was extremely important. He showed a picture of what was allowed on the building and referred to it as looking like a postage stamp on an envelope. He expressed that reasonable signage was critical for a seasonal business. Since the ordinance was a one size fits all if this was another type of business the size of the sign allowed would be over 200 square feet. He showed a picture of what the difference was in the size they were requesting vs. what was allowed as shown earlier. The License and Variance Board had stated that TNT had availability of a monument sign, were adding a bright red roof, as well as window signage and temporary signage that were available. Mr. Beattie felt TNT had met the four criteria for this variance request.

Mr. Beattie showed a picture of the previous business, Piccadilly's that had two rather large roof signs. Mayor Bacon asked if those signs were the same size and Mr. Beattie did not know the answer to that question. He did note that those signs were significantly larger than what TNT was asking for. He showed a superimposed photo of the wall sign and remarked that the roof line was only 8 feet in height which meant the wall sign would be obstructed by parked cars. He said that TNT had not created these obstacles and were trying to work with them, stating that they expected to put \$500,000+ of renovations into this building. The cost to reengineer to accommodate the wall sign would be an unreasonable financial burden.

Mayor Bacon asked about the company itself and Mr. Beattie replied that TNT Fireworks was started by Mr. Anderson and his son was now the CEO. Mr. Anderson was awarded the Horatio Alger Award for Distinguished Americans this previous year which is an award to honor the achievements of outstanding Americans who have succeeded in spite of adversity and to emphasize the importance of higher education. TNT is the nation's leading fireworks company. They have stores globally as well in various countries.

This is not the best site in the area but and presents some challenges. This building has active termites, unmanaged vegetation and has the damage a building let unused for many years carries. They expect to invest over \$500,000 in the property in addition to paying rent on a 20 year lease. They provide fundraising opportunities to local schools and one Soccer Club in Cumming raised over \$30,000 in four days. They intend to be great neighbors to surrounding businesses and to the community. Councilmember asked Mr. Cochran and Mr. Suddreth if it was available to add a stipulation that if they approved the appeal that there would be no additional window signage and both said it was appropriate and Mr. Beattie agreed to those terms. Councilmember Wilkinson asked if they would be open year round or seasonally. Mr. Beattie responded that they intend to be open, Memorial Day, 4th of July, and then October through New Year's.

It was asked by Councilmember Fennel that if they were open only seasonally what the building would look like and would there be fireworks housed in it year round. The response was it would hold stock year round and there would be security measures in place to protect it during the off season.

Councilmember Doug Stoner asked Mr. Suddreth about the specifics of the temporary sign ordinance. Temporary signs were permitted four times a year for 30 day periods each time. A permit was \$100 and was required for each 30 days even if the days were run consecutively. There were various types of permits available for the use of banners, flags, yard signs, etc.

There was further discussion about the temporary sign ordinance and how it evolved and Mr. Suddreth went on to explain that a citizen panel came together with a few members of staff, business owners and even a sign company owner and decided on the stipulations for the ordinance. They met over a time period of 9-12 months to finalize the language.

There were a few remaining general business questions of Mr. Beattie by Council and he reiterated that the building would not explode if set on fire, "but it would be one heck of a show."

A motion was made by Councilmember Susan Wilkinson to deny V16-002 for a variance request which would allow an increase in wall sign area from 40 sq. ft. to 99 sq. ft. - 2.83 acres - Land Lot 377 - 2781 S Cobb Drive - TNT Stores, LLC - David Beattie, seconded by Councilmember Teri Anulewicz. The motion carried by the following vote:

Aye: 5 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Wilkinson and Councilmember Stoner

Nay: 2 - Councilmember Welch and Councilmember Fennel

D.

Public Hearing - Appeal the denial of the License and Variance Board for Variance Request - V16-003 - Allow wall sign on roof - 2.83 acres - Land Lot 377 - 2781 S Cobb Drive - TNT Stores, LLC - David Beattie

Sponsors: Wilkinson

A motion was made by Councilmember Susan Wilkinson to deny V16-003 to allow wall sign on roof - 2.83 acres - Land Lot 377 - 2781 S Cobb Drive - TNT Stores, LLC - David Beattie, seconded by Councilmember

Aye: 5 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Wilkinson and Councilmember Stoner

Nay: 2 - Councilmember Welch and Councilmember Fennel

6. Privilege Licenses:

There were no Privelage Licenses.

7. Formal Business:

- A.** Authorize the acquisition of real property, by all lawful means, for improvements to Spring Road. This authorization includes adopting a Resolution and Declaration of Taking for a portion of the property located at 3103 Sports Avenue and authorizing the Mayor to execute such documents and all other documents incident to this acquisition

Sponsors: Norton

The following background was read aloud by City Administrator, Mike L. Jones. This item is to authorize the acquisition of real property, by all lawful means, for improvements to Spring Road. It will include adopting a Resolution and Declaration of Taking for 3103 Sports Avenue and authorizing the Mayor to execute such documents and all other documents incident to this acquisition.

A motion was made by Councilmember Derek Norton to approve RES2016-03 to authorize the acquisition of real property, by all lawful means, for improvements to Spring Road. This authorization includes adopting a Resolution and Declaration of Taking for a portion of the property located at 3103 Sports Avenue and authorizing the Mayor to execute such documents and all other documents incident to this acquisition, seconded by Councilmember Doug Stoner. The motion carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

- B.** Authorize the City to exchange a portion of property owned by the City located at 2975 and 2925 Atlanta Road for property determined by appraisals to be of greater or equal value owned by Halpern Enterprises located at 2552 South Cobb Drive, Smyrna, Georgia, approve the values determined by the appraisals, and authorize the Mayor to execute all documents necessary for the transaction.

Sponsors: Anulewicz

Mr. Jones stated that this item was to authorize the City to exchange a portion of property owned by the City located at 2975 and 2925 Atlanta Road for property determined by appraisals to be of greater or equal value owned by Halpern Enterprises located at 2552 South Cobb Drive, Smyrna, Georgia, approve the values determined by the appraisals, and authorize the Mayor to execute all documents necessary for the transaction.

This was one of the final steps towards the redevelopment of the Jonquil site at the intersection of Atlanta and Spring Roads. This property was recently rezoned to a mixed use development which will include a Publix Market. In an effort to meet the

commitments to Publix, full scale development of the site will begin soon. The City owns two remnant parcels at this site that will be included in the development. Simultaneously, the City is constructing Glendale Boulevard in an area off of South Cobb Drive near Windy Hill Road. As part of that project, the City must acquire several tracts of land including property owned by Halpern Enterprises. The City seeks to exchange part of the property that it owns at the Jonquil tract for the property of greater or equal value owned by Halpern Enterprises that is needed for Glendale Boulevard. The value of all property to be exchanged has been determined by appraisals completed by state certified MAI appraisers. Mayor Pro Tem / Councilmember Teri Anulewicz stated this was the final piece of the puzzle for Jonquil Plaza. Now a lot will happen in a short period of time for this property and this project will spark rejuvenation of the area.

A motion was made by Councilmember Teri Anulewicz to approve item 2016-88 to authorize the City to exchange a portion of property owned by the City located at 2975 and 2925 Atlanta Road for property determined by appraisals to be of greater or equal value owned by Halpern Enterprises located at 2552 South Cobb Drive, Smyrna, Georgia, approve the values determined by the appraisals, and authorize the Mayor to execute all documents necessary for the transaction, seconded by Councilmember Susan Wilkinson. The motion carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

C. Approval of Ward 3 appointment to the Planning and Zoning Board, Park Ellis. This is a two-year term to expire December 2017.

Sponsors: Anulewicz

A motion was made by Councilmember Teri Anulewicz to approve item 2016-73 the Ward 3 appointment to the Planning and Zoning Board, Park Ellis. This is a two-year term to expire December 2017, seconded by Councilmember Andrea Blustein. The motion carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

D. Approval of Ward 7 appointment to the Smyrna Housing Authority, Terrence (Terry) Lapierre. This is a five-year term to expire May 2020.

Sponsors: Fennel

A motion was made by Councilmember Ron Fennel to approve item 2016-84 for Ward 7 appointment to the Smyrna Housing Authority, Terrence (Terry) Lapierre. This is a five-year term to expire May 2020. seconded by Councilmember Susan Wilkinson. The motion carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

E. Approval of Ward 5 appointment to the Planning and Zoning Board, Cheri Harrington. This is a two-year term to expire December 2017.

Sponsors: Wilkinson

A motion was made by Councilmember Susan Wilkinson to approve item 2016-86 for the Ward 5 appointment to the Planning and Zoning Board, Cheri Harrington. This is a two-year term to expire December 2017, seconded by Councilmember Teri Anulewicz. The motion carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

8. Commercial Building Permits:

There were no Commercial Building Permits

9. Consent Agenda:

City Administrator Mike Jones read aloud the consent agenda for Council approval.

A motion was made by Councilmember Ron Fennel to approve the Consent Agenda, seconded by Councilmember Susan Wilkinson. The motion carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

A. Approval of Mayor and Council Meeting Minutes for January 19, 2016

B. Consideration and approval of new Personnel Policy, EMP 21-0 Employee Identification Badge, and authorize Mayor to sign related document

Sponsors: Blustein

C. Approval of a 10K Event for Metro Area Running Club, Bill Monhan organizer Smyrna Village 10K for November 19, 2016 to begin at 8:00 AM in Smyrna at the roundabout for approximately 500 runners to end at 11:00 AM

Sponsors: Norton

D. Approval to use Council Chambers for a joint Town Hall Meeting hosted by Councilmembers Ron Fennel and Doug Stoner, Thursday, February 4, 2016 7-9 PM.

Sponsors: Fennel

E. Approval to use Council Chambers for Creatwood at Vinings Annual HOA Meeting, Sunday, February 21, 2016 from 6:00pm - 8:00pm

Sponsors: Stoner

F. Approval to change the time for use of Council Chambers for Williams Park Neighborhood Annual HOA Meeting, Tuesday, February 23,

2016 originally from 7:00pm - 9:00pm, to now begin at 6:00pm

Sponsors: Anulewicz

10. Committee Reports:

Ward 7 - Councilmember Ron Fennel No Report except to announce Town Hall Meeting Thursday, February 4, 2016.

Ward 6 - Councilmember Doug Stoner - No Report

Ward 5 - Councilmember Susan Wilkinson - SHe thanked the participants who helped with the weekend cleanup.

Ward 4 - Councilmember Charles "Corkey" Welch - Spoke about the award received for the Reed House and the progress with the architect.

Ward 3 - Mayor Pro Tem / Councilmember Teri Anulewicz - She spoke about the sign variance heard tonight. During her time on Council she has been consistant with pole signs and roof signs and no new ones have been approves. We will not be adding any new ones. SHe will be working with the Vision Committees again and she is reaching out to he committee chairs. She will not be in attendance at the next Council meeting.

Ward 2 - Councilmemembr Andrea Blustein - No Report

Ward 1 - Councilmember Derek Norton - He forgot to mention at the last Council Report his meeting with Braves. Mike Plant is actively working with Argyle Elementary and other area schools to adopt schools and participate in activities. They want to be able to offer after school sponsorships, braves tickets for students of the month, teacher appreciation dinners, etc. He also noted that the Police Department would be holding an active shooter class on Saturday, February 6, 2016 from 2:00pm - 4:00pm in the Council Chambers.

11. Show Cause Hearings:

There was no Show Cause Hearings

12. Citizen Input:

Alex Backry spoke about his dismay in the lack of maintaining the current water rates and the upcoming increase.

13. Adjournment:

Mayor Bacon adjourned the Mayor and Council Meeting at 9:45 PM